

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
**(Under 37 CFR 1.97(b) or 1.97(c))**

Docket No.  
1059.00096

In Re Application Of: **Sabbah, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/700,032	11/03/2003		48924	1632	3424

Title: **CARDIAC TRANSPLANTATION OF STEM CELLS FOR TREATMENT OF HEART FAILURE**



Address to:  
**Commissioner for Patents**  
P.O. Box 1450  
Alexandria, VA 22313-1450

**37 CFR 1.97(b)**

1.  The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

**37 CFR 1.97(c)**

2.  The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

the statement specified in 37 CFR 1.97(e);

**OR**

the fee set forth in 37 CFR 1.17(p).

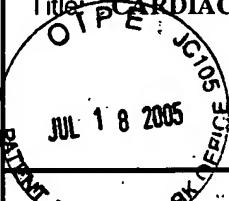
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10/700,032	11/03/2003		48924	1632	3424

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**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of \_\_\_\_\_ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. as described below.

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Dated: 7-14-05

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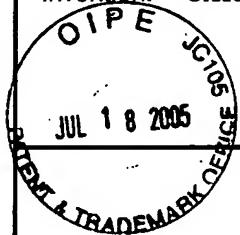
**STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT**

Docket No.  
**1059.00096**

In Re Application Of: **Sabbah, et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/700,032	11/03/2003		48924	1632	3424

Invention: **CARDIAC TRANSPLANTATION OF STEM CELLS FOR THE TREATMENT OF HEART FAILURE**



**COMMISSIONER FOR PATENTS:**

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

**Statement Under 37 CFR 1.97(e)(1)**

Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

**Statement Under 37 CFR 1.97(e)(2)**

No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

  
Signature

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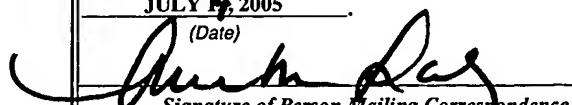
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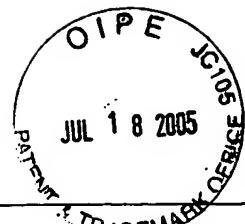
  
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609



## MANUAL OF PATENT EXAMINING PROCEDURE

PTO/SB/08 (2-92)

Sheet 1 of 2

Form PTO-1449		Docket Number (Optional) 1059.00096	Application Number 10/700,032
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION  (Use several sheets if necessary)		Applicant Sabbah, et al.	
		Filing Date 11/03/2003	Group Art Unit 1632

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
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## FOREIGN PATENT DOCUMENTS

	DOCKET NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	1 136 083 A		EP				

## OTHER DOCUMENTS (Including Author, Title, Date Pertinent Pages, Etc.)

	Aoki, M., et al. Beneficial Angiogenesis Induced by Over-Expression of Human Hepatocyte Growth Factor (HGF) in Non-Infarcted and Infarcted Myocardium: Potential Gene Therapy for Myocardial Infarction. Circulation, American Heart Association, vol. 98, no. 17, suppl, 27 October 1998, pages I-321
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	Tomita, S., et al. Autotransplanted Mesenchymal Stem Cells Improve Function After a Myocardial Infarction. Circulation, American Heart Association, vo.. 98, no. 17, suppl, 27 October 1998, pages I-200

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.